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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/450,261	11/29/1999	RANDY P. STANLEY	ITL.0289US	7389

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EXAMINER
LIN, KENNY S

ART UNIT	PAPER NUMBER
2152	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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PTOL-90A (Rev. 10/06)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 December 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,2,6,8-13 and 15-26</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,2,6,8-13,15-20 and 22-25</u> is/are rejected.

7)☒ Claim(s) <u>21 and 26</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail. Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-2, 6, 8-13, 15-18 and 20-26 are presented for examination. Claims 3-5, 7, 14

and 19 are canceled.

Allowable Subject Matter

2.   Claims 21 and 26 are objected to as being dependent upon a rejected base claim, but

would be allowable if rewritten in independent form including all of the limitations of the base

claim and any intervening claims.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making
> and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it
> pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode
> contemplated by the inventor of carrying out his invention.

4.   Claims 8-13 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with

the written description requirement. The claim(s) contains subject matter which was not

described in the specification in such a way as to reasonably convey to one skilled in the relevant

art that the inventor(s), at the time the application was filed, had possession of the claimed

invention. Nowhere in the specification disclosed a machine-readable storage medium.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1, 6, 8, 10-13 and 22-24 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Narurkar et al (hereinafter Narurkar), U.S. Patent Number 6,339,795, in view

of Deo et al (hereinafter Deo), US 6,356,956, and Tsukakoshi et al (hereinafter Tsukakoshi), US

5,926,623.

7.   Narurkar, Deo and Tsukakoshi were cited in the previous office action.

8.   As per claims 1 and 8, Narurkar taught the invention substantially as claimed including a

method comprising automatically transferring time sensitive data (title, col.3, lines 49-55, col.5,

lines 6-9, col.9, lines 36-44: schedule, PIM, Outlook data) from a first storage of a first

processor-based system (col.6, lines 55-67, col.7, lines 1-10) to a second storage of a second

processor-based system (col.7, lines 11-23).

9.   Narurkar further taught that the time sensitive data includes PIM data and Outlook data

(col.9, lines 36-44). Narurkar did not specifically teach to automatically display time sensitive

data on a display coupled to second processor-based system at a predetermined time. Deo taught

to transfer time sensitive data from a first processor based system to a storage of a second

processor based system (col.2, lines 20-27, 55-60, col.3, lines 9-17, 61-67, col.4, lines 11-15) and

automatically display the time sensitive data on a display coupled to the second processor-based

system at a predetermined time (col.1, lines 53-58, col.2, lines 28-35, col.4, lines 11-15, 26-29,

34-38, col.5, lines 19-29). It would have been obvious to one of ordinary skill in the art at the

time the invention was made to combine the teachings of Narurkar and Deo because Deo's

teaching of time sensitive data such as reminders and appointments to automatically display data

at predetermined time helps to remind the users of the scheduled events such as meeting or

anniversaries (see Deo col.5, lines 19-29).

10.   Narurkar and Deo did not specifically teach that the second processor-based system is

located in a housing of the first processor-based system. Tsukakoshi taught to transfer data from

a first processor-based system to a second processor-based system where the second processor-

based system can be inserted in the housing of the first processor-based system (col.1, lines 49-

59, col.2, lines 1-10, col.3, lines 40-55, col.4, lines 48-52, col.5, lines 32-36, fig.1). It would

have been obvious to one of ordinary skill in the art at the time the invention was made to

combine the teachings of Narurkar, Deo and Tsukakoshi in order to implement the benefit of

using a removable second processor-based system which can be inserted or removed from the

housing of the first processor-based system to download data and provide user data mobility (see

Tsukakoshi col.2, lines 1-13).

11.   As per claims 6 and 13 Narurkar and Deo taught the invention substantially as claimed in

claims 1 and 8. Tsukakoshi further taught to provide real time clock information from first

processor-based system to second processor-based system (col.6, lines 11-18, col.10, lines 48-

53). It would have been obvious to one of ordinary skill in the art at the time the invention was

made to combine the teachings of Narurkar, Deo and Tsukakoshi because Tsukakoshi's teaching

of enables the two processor-based system to share the clock information so to provide

synchronization in time for the time sensitive data.

12.   As per claim 10, Narurkar, Deo and Tsukakoshi taught the invention substantially as

claimed in claim 8. Narurkar further taught the fist processor-based system to automatically

transfer personal information manger information (col.6, lines 30-40).

13.   As per claim 11, Narurkar, Deo and Tsukakoshi taught the invention substantially as

claimed in claim 10. Deo further taught the first processor-based system to automatically

transferring personal information manager information includes automatically transferring timed

alerts (col.2, lines 28-35, col.4, lines 11-15, 26-29, 34-38, col.5, lines 19-29).

14.   As per claim 12, Narurkar, Deo and Tsukakoshi taught the invention substantially as

claimed in claim 8. Deo further taught the second processor-based system to automatically

providing an audible alert at the predetermined time (col.5, lines 19-29).

15.   As per claim 22, Narurkar, Deo and Tsukakoshi taught the invention substantially as

claimed in claim 1. Tsukakoshi further taught that said second processor-based system

comprises a standby system (col.1, lines 49-59, col.2, lines 1-10).

16.   As per claim 23, Narurkar, Deo and Tsukakoshi taught the invention substantially as

claimed in claim 1. Tsukakoshi further taught that automatically displaying said time sensitive

data on said display of said second processor-based system located on an exterior of said housing

(col.1, lines 49-59, col.2, lines 1-13: display when removed from housing).

17.   As per claim 24, Narurkar, Deo and Tsukakoshi taught the invention substantially as

claimed in claim 1. Narurkar, Deo and Tsukakoshi did not specifically teach that automatically

displaying said time sensitive data on said display of said second processor-based system while

said first processor-based system is powered off. However, since the time sensitive data can be

processed and displayed at any predetermined time by the second processor-based system, it

would have been obvious that at the time of displaying, the first processor-based system is

powered off. It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teachings of Narurkar, Deo and Tsukakoshi and display the

time sensitive data at any predetermined time, including the time while the first processor-based

system is powered off.

18.   Claims 15-18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Narurkar et al (hereinafter Narurkar), U.S. Patent Number 6,339,795, in view of Deo et al

(hereinafter Deo), US 6,356,956, and Kanevsky et al (hereinafter Kanevsky), U.S. Patent

Number 6,496,949.

19.   Kanevsky was cited in the previous office action.

20.   As per claim 15, Narurkar taught the invention substantially as claimed including a processor-based system comprising, comprising a processor (28, fig.2), a first storage to store a personal information manager application (52, fig.2, col.6, lines 35-40, col.7, lines 16-18), and a second storage to store software including instructions (51, fig.2, col.7, lines 11-16) that causes the processor to automatically transfer time sensitive data to a second processor-based device (title, 22, fig.2, col.3, lines 49-55, col.5, lines 6-9, col.9, lines 36-44).

21.   Narurkar further taught that the time sensitive data includes PIM data and Outlook data (col.9, lines 36-44). Narurkar did not specifically teach to display time sensitive data at a predetermined time. Deo taught to transfer time sensitive data from a first processor based system to a storage of a second processor based system (col.2, lines 20-27, 55-60, col.3, lines 9-17, 61-67, col.4, lines 11-15) and automatically display the time sensitive data on a display coupled to the second processor-based system at a predetermined time (col.1, lines 53-58, col.2, lines 28-35, col.4, lines 11-15, 26-29, 34-38, col.5, lines 19-29). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Narurkar and Deo because Deo's teaching of time sensitive data such as reminders and appointments to automatically display data at predetermined time helps to remind the users of the scheduled events such as meeting or anniversaries (see Deo col.5, lines 19-29).

22.   Narurkar and Deo did not specifically teach that automatic transfer is to occur in response to an indication that said processor-based system is to be powered off. However, it is well

known in the art to save files as back ups in a remote hard drive before a processor-based system

such as a web server is shut down for repair or update. Kanevsky taught to automatically backup

the data when it is determined that the first processor-based system is being powered off (col.1,

lines 12-24). It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teachings of Narurkar, Deo and Kanevsky because

Kanevsky's teaching of data backup when the first processor-based is determined to be powered

off helps to prevent the data from being lost.

23.   As per claim 16, Narurkar, Deo and Kanevsky taught the invention substantially as

claimed in claim 15. Narurkar further taught to include a link on system to device (26, fig.2,

col.6, lines 26-29).

24.   As per claim 17, Narurkar, Deo and Kanevsky taught the invention substantially as

claimed in claim 16. Narurkar further taught that the system is a portable computer that includes

device (fig.1-3, col.6, lines 26-39).

25.   As per claim 18, Narurkar, Deo and Kanevsky taught the invention substantially as

claimed in claim 17. Narurkar further teach a housing for computer and the display of the device

being located on the outside of housing (fig.1).

26.   As per claim 20, Narurkar, Deo and Kanevsky taught the invention substantially as

claimed in claim 15. Kanevsky further taught to automatically transfer said time sensitive data to

said second processor-based system when the processor detects that the processor-based system

will be turned off (col.1, lines 12-24).

27.   Claims 2 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narurkar,

Deo and Tsukakoshi as applied to claims 1, 3-5, 7-8, 10-12 and 14-18 above, and further in view

of Kanevsky et al (hereinafter Kanevsky), U.S. Patent Number 6,496,949.

28.   As per claims 2 and 9, Narurkar, Deo and Tsukakoshi taught the invention substantially

as claimed in claims 1 and 8 including that the time sensitive data is automatically transferred

from the storage coupled to the first processor-based system (title, col.3, lines 49-55, col.5, lines

6-9, col.9, lines 36-44). Narurkar, Deo and Tsukakoshi did not specifically teach that the time

sensitive data is automatically transferred when it is determined that the first processor-based

system is being powered off. However, it is well known in the art to save files as back ups in a

remote hard drive before a processor-based system such as a web server is shut down for repair

or update. Kanevsky taught to automatically backup the data when it is determined that the first

processor-based system is being powered off (col.1, lines 12-24). It would have been obvious to

one of ordinary skill in the art at the time the invention was made to combine the teachings of

Narurkar, Deo, Tsukakoshi and Kanevsky because Kanevsky's teaching of data backup when the

first processor-based is determined to be powered off helps to prevent the data from being lost.

29.   Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Narurkar, Deo

and Kanevsky as applied to claims 15-18 above, and further in view of Tsukakoshi et al

(hereinafter Tsukakoshi), US 5,926,623.

30.   As per claim 25, Narurkar, Deo and Kanevsky taught the invention substantially as

claimed in claim 17. Narurkar, Deo and Kanevsky did not specifically teach that said second

processor-based device comprises a standby system. Tsukakoshi taught to transfer data from a

first processor-based system to a second processor-based system where the second processor-

based system can be a standby system (col.1, lines 49-59, col.2, lines 1-10, col.3, lines 40-55,

col.4, lines 48-52, col.5, lines 32-36, fig.1). It would have been obvious to one of ordinary skill

in the art at the time the invention was made to combine the teachings of Narurkar, Deo and

Tsukakoshi in order to implement the benefit of using a removable second processor-based

system which can be inserted or removed from the housing of the first processor-based system to

download data and provide user data mobility (see Tsukakoshi col.2, lines 1-13).

Response to Amendment

31.   Applicant's arguments with respect to claims 1, 8 and 15 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

32.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this
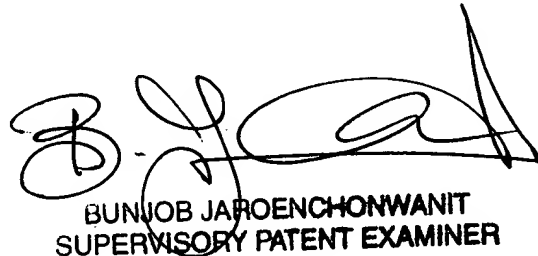
final action.

33.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The

examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number

for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl
February 28, 2007

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SUPERVISORY PATENT EXAMINER